



AMUSEMENT CENTRES.

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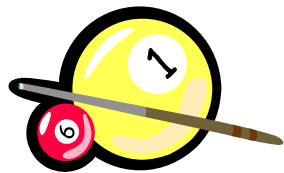
OBJECTIVE

To provide potential applicants with an indication of the considerations Council will make in assessing development applications for amusement centres.

Minute No: 276/1986 Meeting Date: 24 June, 1986



RANDWICK CITY COUNCIL



AMUSEMENT CENTRE POLICY

1. Preamble

- 1.1 This general policy may be cited as Randwick Municipal Amusement Centre Code, 1980, and is deemed to be a code for the purposes of any Town Planning instrument prevailing over all or part of the municipality.
- 1.2 This code is intended to give potential applicants an indication of the considerations Council would make in assessing a development application or amusement centre licence application submitted for its approval.
- 1.3 This code is not a statutory document and is not legally binding on Council or an applicant. However, it does have significance in that it would be taken into account by any court or tribunal in resolving any appeal. Nothing in this policy should be construed as overriding statutory or other legal requirements. Rather this policy should be read in conjunction with the relevant Acts and Ordinances.

2. Principal Objectives

- 2.1 To define and clarify the various types of amusement machines and centres so that appropriate requirements may be designed to regulate and control such establishments.
- 2.2 To ensure that the location, design and activities associated with "amusement centres" have the minimum adverse effect on the neighbourhood or surrounding uses.
- 2.3 To ensure that amusement centres are restricted to entertainment activities not related to gambling or any type and the conduct of patrons is of an orderly manner.

3. Application Requirements

- 3.1 Development consent must be obtained prior to the establishment of amusement centres, while an amusement centre licence is required for the operation of any or all amusement machines.
- 3.2 The following information will be required by Council with the submission of a development application or amusement centre licence.
 - locality sketch showing approximate distances to schools, churches, hotels, wine bars and the like.
 - accurate floor plan and layout showing:
 - number and type of amusement machines
 - layout of amusement machines
 - toilet facilities and access thereto
 - any partitioned areas and their proposed use
 - seating arrangements
 - any additional ancillary uses
 - entrances and exists
 - daily hours of operation, and
 - car parking layout (if necessary).

3.3 Fees:

Development application fee:	As per Council's adopted fee scale
Advertising fee:	\$150.00
Amusement Centre Licence fee:	\$30/machine

4. Definitions

4.1 Amusement Machines

- (i) a machine, appliance or game table, coin-operated or not, mechanically or electronically powered that releases or makes available balls, disks or other items for projection in or on the machine by the use of springs, flippers, paddles or cues;
- (ii) electronic appliances which are controlled or partly controlled by computer associated with electronic screen(s) operated by one or more players for amusement or recreation;
- (iii) shooting galleries or similar devices.

4.2 Amusement Centres

An amusement centre is a premises that is used or intended for use principally for the playing of amusement machines (ie. containing five (5) or more amusement machines and/or occupying greater than 30% of the "floor area" of the premises). Premises may be used in conjunction with associated recreational facilities and for sit-in dining.

5. Design, Location & Operational Requirements

5.1 Generally:

Location: All proposals must be within the appropriate zoning permitted by the Local Planning Scheme. Consideration will be given to the suitability of the location of the proposal in respect to:

- proximity of schools, churches, hotels etc;
- nature of abutting businesses or properties and possibility of any adverse affect upon them;
- security of the neighbourhood; and
- whether the subject property is readily visible to the general public, or in arcades or restricted areas.

Lighting: Activities areas and ancillary facilities shall be illuminated to an intensity that permits the entire area to be visible from any point including the street frontage.

Layout: The building design and the proposed layout of amusement machines and facilities must be of an open nature without any visually restrictive areas.

Noise: No noise in excess of 5dB above background noise shall be permitted to emanate from the premises.

5.2 Amusement Centres

- The number of machines permitted shall not exceed the floor area in square metres available for the machines divided by five.
- The premises are encouraged to be located at the ground floor level (at street entrance level).
- Public pedestrian access shall be restricted to the street frontage (no infringement of Ordinance 70 requirements).
- Access area shall be of an open nature without visual restrictions.
- The internal layout is to be of open design without separate rooms, partitions or divided-off areas available to the customers. The entire public floor area must be readily visible from the footpath.
- Access to male and female toilet facilities shall be provided.
- Where the amusement centre is to be used in conjunction with associated recreational facilities and/or refreshment rooms, the following additional requirements will apply:-
 - The minimum area for seating (at tables) for consumption of food and beverages is to be 20% of the floor area of the commercial activity.
 - Eating and drinking facilities shall be of the standard normally expected in a "refreshment room".
 - The premises may be at other than ground floor level provided that:-
 - Access stairs are a minimum of 1.8m wide.
 - Stairs do not provide access to more than two other premises.
 - Stairs lead immediately to the entertainment centre and the other premises could be partitioned off for security purposes.
 - Toilet facilities shall be accessible without interference to the other occupants of the site.
 - Compliance within Ordinance 70 requirements in respect of ingress/egress are satisfied.

6. Other Requirements

6.1 Advertising

The Council shall, before determining an application for development consent:

- (i) give notice of the receipt of an application in a newspaper circulating within the locality;
- (ii) affix a sign to the subject site indicating the nature of the proposed use of the land;
- (iii) by written notice seek the views of the police and owners of adjoining property; and
- (iv) allow a period of fourteen (14) days from the date of the notice, during which any person may lodge with the Council written objection to the proposed development, such objections are to state the grounds upon which they will be in furiously affected.

6.2 Car Parking

Off-street car parking shall be provided on the following basis:

- Generally, one (1) space for each five (5) amusement machines EXCEPTIONS: - pool tables and the like;
- two (2) spaces per pool table.

Note: The on site car parking requirement is applicable to all amusement centre development applications. Where a change of use is involved a credit for the existing commercial activity shall be made in determining the on site car parking requirement.

6.3 Hours of Operation

The operational hours shall, dependent upon the amenity of the area, be regulated so that no interference occurs with schools or the neighbourhood and the establishment must close prior to the closing of hotels, wine bars or bistros in the area.

6.4 Structural Adequacy

In existing buildings it is required that the applicant satisfies Council as to the capacity of the floor system to support the loads imposed by billiard tables, amusement machines and the like.

6.5 Conduct of Patrons

Premises shall be conducted in an orderly manner at all times and in particular the proprietor shall be responsible at all times to ensure that:-

- (i) No person under the age of twelve (12) years unaccompanied by an adult shall be permitted to enter or remain on the premises or in that portion of the premises in which the amusement devices are located.
- (ii) No intoxicating liquor or any drugs shall be brought onto the premises and no person under the influence of intoxicating liquor or drugs shall be permitted to remain upon the premises.
- (iii) No gambling shall be permitted and no monetary prize shall be offered as a reward for skill in playing any machine.

6.6 Licence Agreements

Following issue of a development consent by Council, a licence will be prepared between Council and the Licensee, at the Licensee's expense. Conditions may be included in the licence agreement depending on the circumstances of each application. The licence will be identical to that issued upon application for an amusement machine licence and will be valid for a maximum period of twelve (12) months. Licences will be issued annually.